

ZB# 70-8

John McGowan

(no SBL)

70-8
John R.
McGowan
8-17-78
9:00 AM

file



State of New York
County of Orange, ss:

**PUBLIC NOTICE OF
HEARING BEFORE THE
ZONING BOARD OF
APPEALS**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of New Windsor, New York will hold a public hearing pursuant to Section 48-33A of the Zoning Ordinance on the following proposition:

Appeal No. 8.

Request of JOHN R. MCGOWAN for a sideyard Variance of the regulations of the Zoning Ordinance, to permit construction of additional one-car garage on his premises, being a Variance of Article IV, Section 48-14, for property owned by him situated as follows at 12 Harth Dr., Town of New Windsor.

SAID HEARING will take place on the 15th of June, 1970, at the New Windsor Town Hall, 555 Union Ave., New Windsor, N.Y., beginning at 7:30 o'clock p.m.

LOUISE A. BUDNEY
Chairman

June 5

Hugh V. Nocton , being duly sworn deposes and
says that he isPrincipal Clerk..... of Newburgh-
Beacon News Co., Inc., Publisher of The Evening News,
a daily newspaper published and of general circulation in
the Counties of Orange and Dutchess, and that the notice
of which the annexed is a true copy was published
One Time

.....
in said newspaper, commencing on the.....5th.....day of
June
.....A.D., 19⁷⁰, and ending on
the 5th day of June A.D., 1970

Subscribed and sworn to before me this
5th
..... day of June 19⁷⁰

Hugh V. Nocton
Louise A. Budney

Notary Public of the State of New York, County of Orange.
MY COMMISSION EXPIRES MARCH 30, 1971



7:30 hearing - 6/15/70

Spectators -

Name	Address
Maria McHown	12 Harel Dr. New Windsor
Reina DeVito	766 Proceeding Maryland H.P.
Will E. Tschel	14 Harel Dr. New Windsor
Mary Tschel	

To Whom It May Concern:

Take Notice that the undersigned have made an application for a side-yard variance to place an attached one-car garage on their premises, 12 Harth Dr., Town of New Windsor, Orange County, N. Y. and that said application will be heard by Board of Appeals of the Zoning Ordinance of the Town of New Windsor, Orange County, N. Y. on the 15th day of June at 7:30 p.m. at Town Hall, 555 Union Ave., New Windsor, N. Y.

Dated:

June 6/1970

John R. McGowan
John R. McGowan
Marie McGowan
Marie McGowan
12 Harth Dr.
New Windsor, N. Y.

Adopted 12/20/65

APPLICATION FOR VARIANCE

Application No. 70-8
Date: May 20, 19 70

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

I (We) John R. McGowan of 12 North Dr.
New Windsor (Street & number)
New York (State) HEREBY MAKE

APPLICATION FOR A VARIANCE:

- A. LOCATION OF THE PROPERTY 12 North Dr., R.B.
(Street & number) (Use district on Zoning Map)
- B. PROVISION OF THE ZONING ORDINANCE APPLICABLE: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance: Art. IV Sec 48-17)

C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:

1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because: an additional garage is needed as we have 4 vehicles
2. Strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because: this is the only logical place to add the garage
3. The unique conditions and circumstances are not the result of actions taken of the applicant subsequent to the adoption of the Ordinance because: property was purchased before zoning went into effect.

4. Relief, if approved will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance because: it will provide a double drive-way

which will enable us to park our vehicles off the street.

5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because: it will alleviate congestion on

the street.

- D. Describe in detail how the property is to be used and submit plans or sketches in duplicate.

Attached one-car garage - 14' x 30' which will leave 6' from side of garage to east property line.

- E. Application to be accompanied by a check, payable to the Town of New Windsor in the amount decided by the Board. Application to be returned to: Secretary of the Zoning Bd. of Appeals.

- F. NOTICE OF HEARING: Applicant agrees to send notice of any public hearing via registered mail to all abutting land owners as required by Section 9.4.1 of the Ordinance.

- G. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified. Also, have your attorney check Sec. 239m of the General Municipal Law to see if it applies. If so, notify the Orange County Planning Bd.

Dated: June 15 1970

John P. McGowan
Signature of Applicant

STATE OF NEW YORK)
COUNTY OF ORANGE) SS

Sworn to on this 17 day of June 1970

12 Kent Dr.
Address

Remond J. Pommeroy
(Notary Public)

562-1888
Telephone No.

DO NOT WRITE IN THIS SPACE

Application No. 70-8

Date of Hearing 6/15/70

Date of Decision 7/20/70

Date Received 5/20/70

Notice Published 6/5/70

DECISION: Granted.



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

Mr. John H. McGowan

Page 1

Chippendale, Jack & Marjorie
33 Willow Lane
New Windsor, New York 12550

Swanson, Richard B. & Theresa J.
35 Spring Rock Road
New Windsor, New York 12550

Gunsior, Peter & Barbara A.
33 Spring Rock Road
New Windsor, New York 12550

Summers, Kenneth E. & Elizabeth
31 Spring Rock Road
New Windsor, New York 12550

Cardella, Anthony & Margaret
29 Spring Rock Road
New Windsor, New York 12550

Quinn, Gerald F. & Mary B.
27 Spring Rock Road
New Windsor, New York 12550

Poness, John & Angelina
25 Spring Rock Road
New Windsor, New York 12550

Gruenhagen, Gerald E.
Box 368
Newburgh, New York 12550

McKenna, James A. & Lydia M.
21 Spring Rock Road
New Windsor, New York 12550

Seymour, John L. & Marion F.
19 Spring Rock Road
New Windsor, New York 12550

Mongelli, Louis J. & Francine A.
2 Split Tree Drive
New Windsor, New York 12550

Reich, Theodore H. & Eleanor
4 Split Tree Drive
New Windsor, New York 12550

Seid, Joseph & Judith
8 Split Tree Drive
New Windsor, New York 12550

Carfora, Thomas & Frances
10 Split Tree Drive
New Windsor, New York 12550

Decker, Charles E. Jr. & Geraldine
12 Split Tree Drive
New Windsor, New York 12550

Mondello, Jos. A. & Pasqualina B. &
Paula
14 Split Tree Drive
New Windsor, New York 12550

Brooks, Jack B. & Martha G.
16 Split Tree Drive
New Windsor, New York 12550

Jollimore, Donald A. Jr., & Catherine
18 Split Tree Drive
New Windsor, New York 12550

Shaw, Walter W. & Hallie M.
20 Split Tree Drive
New Windsor, New York 12550

Fidgeon, Arthur J. Jr. and Rosemary E.
22 Split Tree Drive
New Windsor, New York 12550



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23 Clinton Wood Drive
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Mr. John H. McGowan

Page 2

Schmidt, Herman C. & Mary
24 Split Tree Drive
New Windsor, New York 12550

Palma, Pierino J. & Eleanor V.
37 Willow Lane
New Windsor, New York 12550

Houston, William H. & Helen E.
19 Harth Drive
New Windsor, New York 12550

Lecaroz, Joseph E. & Patricia L.
17 Harth Drive
New Windsor, New York 12550

Tym, Ted & Elizabeth F.
15 Harth Drive
New Windsor, New York 12550

Tartaglia, Paul & Angela
13 Harth Drive
New Windsor, New York 12550

Chartoff, Sam & Ethel
11 Harth Drive
New Windsor, New York 12550

Lewis, Cliver C. & Claudia E.
9 Harth Drive
New Windsor, New York 12550

Stoekel, Philip & Helga M.
7 Harth Drive
New Windsor, New York 12550

Eates, Robert L. & Carol B.
5 Harth Drive
New Windsor, New York 12550

Illaria, Jerry G.
3 Harth Drive
New Windsor, New York 12550

Moody, Edward W. & Barbara M.
1 Harth Drive
New Windsor, New York 12550

Shenker, Martin F.
16 Spring Rock Road
New Windsor, New York 12550

Sullivan, William F. & Margaret A.
18 Spring Rock Road
New Windsor, New York 12550

Kuhlow, George A. & Carolyn J.
20 Spring Rock Road
New Windsor, New York 12550

Goch, Robert & Sybil
22 Spring Rock Road
New Windsor, New York 12550

Williamson, Taggart B. & Janet R.
24 Spring Rock Road
New Windsor, New York 12550

Denisar, Don E. & Joanne S.
26 Spring Rock Road
New Windsor, New York 12550

Bradner, William L. & Marilyn V.
28 Spring Rock Road
New Windsor, New York 12550

Peckham, Richard S. & Elizabeth L.
30 Spring Rock Road
New Windsor, New York 12550

Marchio, Frank & Estelle
32 Spring Rock Road
New Windsor, New York 12550

Pietrzak, Richard & Linda Ann
34 Spring Rock Road
New Windsor, New York 12550



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23 Clinton Wood Drive
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Mr. John H. McGowan

Page 3

Graf, Gerald
36 Spring Rock Road
New Windsor, New York

Doulin, Daniel J.
2 Harth Drive
New Windsor, New York

Simmons, Richard J.
4 Harth Drive
New Windsor, New York 12550

~~Masi, Joseph~~
~~Donahue, John P. & Helen M.~~
6 Harth Drive
New Windsor, New York 12550

Lampack, Henry & Marie R.
8 Harth Drive
New Windsor, New York 12550

Dolin, Myron A. & Susie E.
10 Harth Drive
New Windsor, New York 12550

Shea, James V. & Marian H.
24 Harth Drive
New Windsor, New York 12550

Dintsch, Erwin W. & Eva
31 Willow Lane
New Windsor, New York 12550

Nickel, William & Mary
14 Harth Drive
New Windsor, New York 12550

Trizinsky, Francis B. & Margaret M.
16 Harth Drive
New Windsor, New York 12550

Hendrickson, Joseph & Ruth
18 Harth Drive
New Windsor, New York 12550

Seiden, Brenda R.
20 Harth Drive
New Windsor, New York 12550

Wilson, Francis K. & Olive A.
22 Harth Drive
New Windsor, New York 12550

Respectfully submitted,

Ellsworth E. Weyant, pt
ELLSWORTH E. WEYANT
Chairman
Board of Assessors
Town of New Windsor

EEW:pt

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date 4/20, 1970

To JOHN R. MCGOWAN
12 HARTH DRIVE
NEW WINDSOR, N.Y.

PLEASE TAKE NOTICE that your application dated 4/17, 1970
for permit to ADD GARAGE TO DWELLING
at the premises located at 12 HARTH DRIVE

is returned herewith and disapproved on the following grounds:

SIDE YARD MUST BE 12 FEET
PLAN SHOWS ONLY SIX FEET

Howard R. Ceech
Building Inspector

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined 4/17 1970

Approved 19.....

Disapproved a/c 4/20/70

Permit No.

Refer —

Planning Board

Highway

Sewer

Water

Zoning Board of Appeals

Office of Building Inspector
LAWRENCE JONES, Building Inspector
Town Hall, 244 Union Avenue
Newburgh, N. Y.

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date 4/17 1970

INSTRUCTIONS

a. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.

b. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.

c. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.

d. The work covered by this application may not be commenced before the issuance of Building Permit.

e. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.

f. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances and regulations.

John M. McHenry, 12 Harth Dr., New Windsor, N.Y.
.....
(Signature of Applicant) (Address of Applicant)

State whether applicant is owner, lessee, agent, architect, engineer or builder:

.....Owner.....

Name of owner of premises: John R. McGowan

If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. Location of land on which proposed work will be done 12 Harth Dr

2. State existing use and occupancy of premises and intended use and occupancy of proposed construction:

a Existing use and occupancy Residence with one garage

b. Intended use and occupancy Residence with two garages

3. Nature of work (check which applicable): New Building Addition ☒ Alteration

Repair Removal Demolition

4. Estimated cost* \$500.00 Fee
(to be paid on filing this application)

5. If dwelling, number of dwelling units ~~1~~ Number of dwelling units on each floor

If garage, number of cars 1.....

6. If business, commercial or mixed occupancy, specify nature and extent of each type of use

7. Dimensions of existing structures, if any: Front 44' Rear 44'

Depth 24' Height Number of Stories Split Level

8. Dimensions of same structure with alterations or additions: Front 58' Rear 58'

Depth Height Number of Stories

9. Dimensions of entire new construction: Front 14' Rear 14' Depth

Height Number of Stories

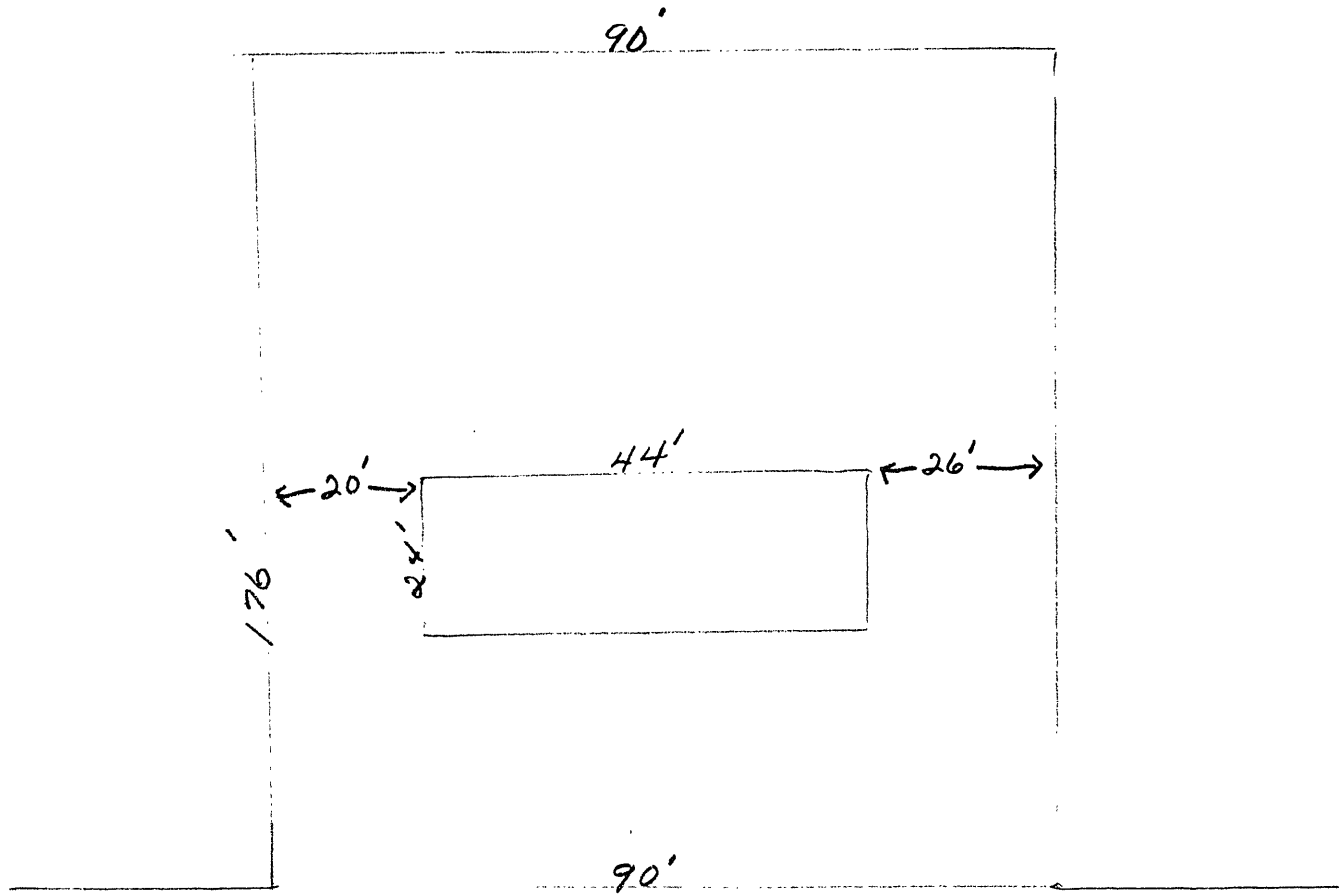
10. Size of lot: Front90'..... Rear90'..... Depth176'..... Front Yard50'.....
Rear Yard102'..... Side Yard Is this a corner lot?No.....
11. Zone or use district in which premises are situated.....
.....
12. Does proposed construction violate any zoning law, ordinance or regulation?Yes.....
.....
13. Name of Compensation Insurance Carrier
Number of Policy Date of Expiration
14. Name of Owner of PremisesJohn R. McGowan.....
Address12 Harth Dr..... Phone No.562-1888.....
Name of Architect
Address Phone No.
Name of Contractor
Address Phone No.
15. Will electrical work be inspected by, and a Certificate of Approval obtained from, the New York Board of Fire Underwriters or other agency or organization?
If so, specify
16. IMPORTANT: Do not pour footings until the location of building on lot, and soil has been inspected.
17. Before a Certificate of Occupancy can be issued, a certified survey must be filed. (May be waived.)
18. Walls not to be lathed until Department inspection is made.
19. Defer backfilling until waterproofing of foundation is approved by Department.

* —

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

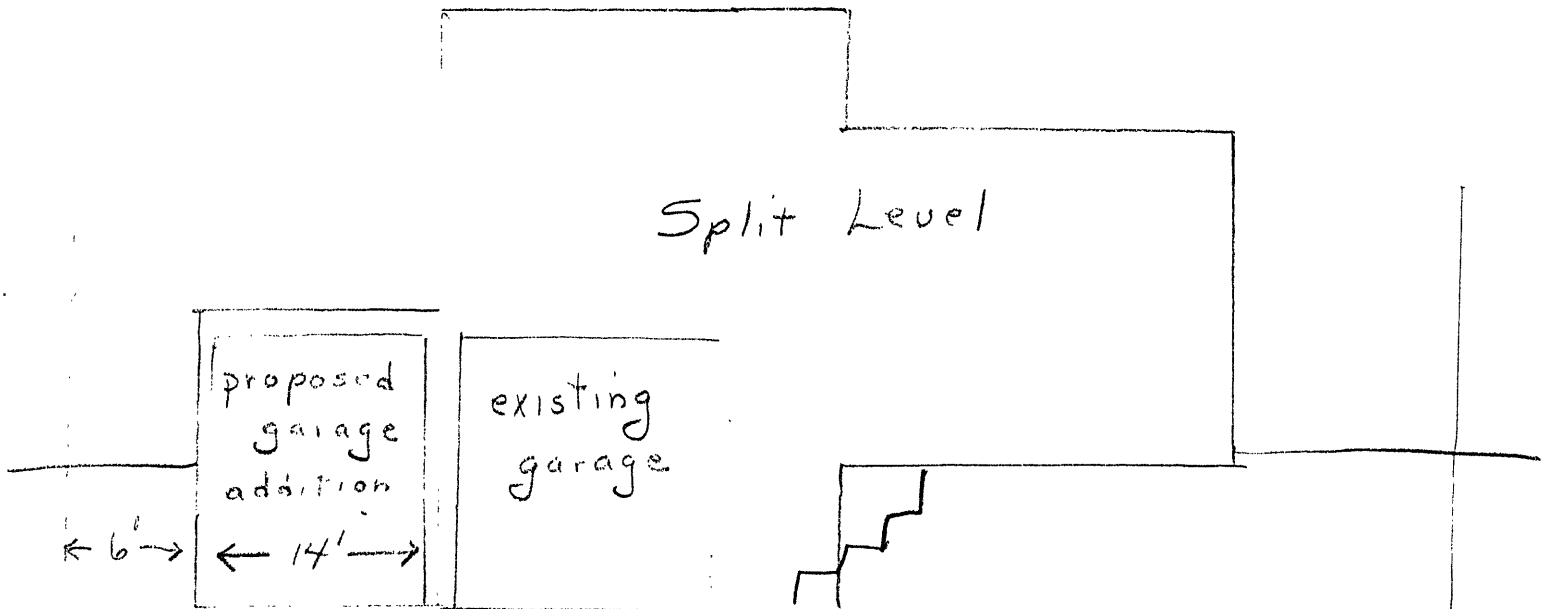
SHOW PLOT PLAN ON NEXT PAGE

PLOT PLAN



Harth Drive

Split Level



APPLICATION is hereby made for the following:

Agenda ☒ Service ☐

1. Name John R. McGowan
Address 12 Harth Dr.
Telephone Number 562-1888
Are you the owner of the property? Yes
2. Briefly describe intention (or attach) and location of property:

3. PLANNING BOARD

☐ Site Plan Preliminary Meeting
☐ Subdivision Preliminary Meeting
☐ Informational Meeting

AGENDA DATE _____

4. ZONING BOARD OF APPEALS

☐ Interpretation of Ordinance or Map
☒ Variance (Notify P/B - Plans if necessary)
☐ Informational Meeting

AGENDA DATE _____

5. BUILDING PERMIT

☐ Planning Board action needed
☐ ZBA. action needed
☐ Site Plan needed
☐ Subdivision approval needed
☐ Water, Sewer and Highway action needed

ACTION TAKEN:

I do hereby affirm that all fees, permits and charges applicable under the laws and ordinances of the State of

New York and the City of New York

Agenda ☒

Service

1. Name John R. McGowanAddress 12 Harth Dr.Telephone Number 562-1888Are you the owner of the property? Yes

2. Briefly describe intention (or attach) and location of property:

3. PLANNING BOARD

 Site Plan Preliminary Meeting Subdivision Preliminary Meeting Informational MeetingAGENDA DATE

4. ZONING BOARD OF APPEALS

 Interpretation of Ordinance or Map ☒ Variance (Notify P/B - Plans if necessary) Informational MeetingAGENDA DATE

5. BUILDING PERMIT

 Planning Board action needed ZBA. action needed Site Plan needed Subdivision approval needed Water, Sewer and Highway action needed

ACTION TAKEN:

I do hereby affirm that all fees, permits and charges applicable under the laws and ordinances of the State of New York and the Town of New Windsor will be paid and that any expenses for advertising of Public Hearing or meetings will be paid. Also any legal or engineering fees for re-
der of this project.

Signed: John R. McGowan

1

Source: *Journal of the American Statistical Association*, 1970, 65, 1, 1-11.

